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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,946	10/31/2003	Kazuo Okada	SHO-0020	8922
23353 7590 07/24/2008 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036				
EXAMINER				
DUFFY, DAVID W				
ART UNIT		PAPER NUMBER		
3714				
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07/24/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/697,946

Applicant(s)

OKADA, KAZUO

Examiner

DAVID W. DUFFY

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. This office action is in response to the amendment filed 04/23/2008 in which applicant adds claims 23 and 24. Claims 1-24 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 23 and 24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims recite limitations directed to arm portions and the structural characteristics thereof. Examiner could find no description of any arms or arm portions in the specification as filed. The only description of the reflection cover is provided in paragraph 48 of the specification as filed which does not disclose the newly included limitations.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al. (US 6086066) in view of Yamamoto et al. (US 6118420), Okada (US 4889339) and Official Notice.
6. In regards to claims 1 and 5, Takeuchi discloses a variable display means (fig 1, the three reels), a second display device in front of the variable means including a frame to support said second display device (fig 1, element 16), input device to allow a bet command (2:49-54), controller that controls the display devices to provide a game (inherent as something must control the machine in order for it to operate), where the second display moves relative to the first (figs 3 and 5). Takeuchi lacks explicitly stating that the second display is electrically able to display various images.
7. In related prior art, Yamamoto discloses a transparent liquid crystal display that allows the superimposing of images over background images (1:24-57) with a light source disposed on the bottom (fig 1, element 102) including a frame with a plurality of members defining and creating an opening that allows light to pass there through (figs 1-3, element 103 and 3:56-4:4).
8. One skilled in the art would recognize the advantage of using the transparent display of Yamamoto with the system of Takeuchi as the resultant system would allow for the surprise and enhanced amusement of the player as already provided for in Takeuchi while further enhancing the abilities of the system to vary the overlaid image which allows for more image variety as evidenced by Loose et al. (US 6517433). The combination made lacks a reel stop control.

9. In related prior art, Okada discloses that reel stop buttons allow a player to make use of his or her intuition and technique to enhance their enjoyment of the game (1:18-29). One skilled in the art would recognize the advantages of increasing player enjoyment in a game system that is profitable only when played.
10. Therefore it would have been obvious to one skilled in the art at the time to incorporate reel stop controls to the combination made above to increase player interest and subsequently owner profits. The combination made lacks a light reflection cover connected to the edge members to reflect light to the variable display and electrical display regardless of position.
11. However, examiner takes OFFICIAL NOTICE that reflectors for lights are well known as a way to direct light and thereby reduce power demand by using less powerful lights that are directed properly. Examiner offers as evidence most commercial ceiling light assemblies, vehicle headlights, and Cairns (US 1454622 A). One skilled in the art would recognize the advantages of focusing light where it is useful and not wasted on illumination of unnecessary objects.
12. Therefore it would have been obvious to one skilled in the art at the time of the invention to have modified the combination made above to have included a light reflector to direct the light onto the gaming displays in order to reduce energy demands and provide adequate illumination of the game displays.
13. In regards to claims 2 and 3, Takeuchi discloses the second display moving back and forth and up and down relative to the first display (fig 3).

14. In regards to claim 4, Takeuchi discloses moving the second display in and out of the field of view (fig 3).

15. In regards to claim 6, Takeuchi discloses reels with a common axis of rotation (fig 1).

16. In regards to claim 7, Takeuchi discloses reels and that the second display can rotate on the same axis as the reels (figs 1 and 3).

17. In regards to claim 8, Takeuchi discloses a support body fitted into the rotation shaft, supporting the second display (figs 1 and 5, element 18) and an actuator to rotate the support body about the rotation shaft (5:23-35).

18. In regards to claim 9, the combination made discloses the system as detailed for claim 10 above. The combination made lacks a shroud to direct the lighting. However, examiner takes OFFICIAL NOTICE that shrouds to direct light are notoriously well known in the art of lighting and would have been an obvious modification to make to provide adequate illumination of the system.

19. Claims 10-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al. (US 6086066) in view of Yamamoto et al. (US 6118420) and Official Notice.

20. In regards to claims 10, 14, 21, and 22, Takeuchi discloses a variable display means (fig 1, the three reels), a second display device in front of the variable means (fig 1, element 16), input device to allow a bet command (2:49-54), controller that controls the display devices to provide a game (inherent as something must control the machine in order for it to operate), where the second display moves relative to the first (figs 3 and

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5). Takeuchi lacks explicitly stating that the second display is electrically able to display various images.

21. In related prior art, Yamamoto discloses a transparent liquid crystal display that allows the superimposing of images over background images (1:24-57) with a light source disposed on the bottom (fig 1, element 102).

22. One skilled in the art would recognize the advantage of using the transparent display of Yamamoto with the system of Takeuchi as the resultant system would allow for the surprise and enhanced amusement of the player as already provided for in Takeuchi while further enhancing the abilities of the system to vary the overlaid image which allows for more image variety as evidenced by Loose et al. (US 6517433). The combination made lacks a light reflection cover connected to the edge members to reflect light to the variable display and electrical display regardless of position.

23. However, examiner takes OFFICIAL NOTICE that reflectors for lights are well known as a way to direct light and thereby reduce power demand by using less powerful lights that are directed properly. Examiner offers as evidence most commercial ceiling light assemblies, vehicle headlights, and Cairns (US 1454622 A). One skilled in the art would recognize the advantages of focusing light where it is useful and not wasted on illumination of unnecessary objects.

24. Therefore it would have been obvious to one skilled in the art at the time of the invention to have modified the combination made above to have included a light reflector to direct the light onto the gaming displays in order to reduce energy demands and provide adequate illumination of the game displays.

25. In regards to claims 11 and 12, Takeuchi discloses the second display moving back and forth and up and down relative to the first display (fig 3).
26. In regards to claim 13, Takeuchi discloses moving the second display in and out of the field of view (fig 3).
27. In regards to claim 15, Takeuchi discloses reels with a common axis of rotation (fig 1).
28. In regards to claim 16, Takeuchi discloses reels and that the second display can rotate on the same axis as the reels (figs 1 and 3).
29. In regards to claim 17, Takeuchi discloses a support body fitted into the rotation shaft, supporting the second display (figs 1 and 5, element 18) and an actuator to rotate the support body about the rotation shaft (5:23-35).
30. In regards to claim 18, the combination made discloses the system as detailed for claim 10 above. The combination made lacks a shroud to direct the lighting. However, examiner takes OFFICIAL NOTICE that shrouds to direct light are notoriously well known in the art of lighting and would have been an obvious modification to make to provide adequate illumination of the system.
31. In regards to claims 19 and 20, Takeuchi discloses a variable display means (fig 1, the three reels), a second display device in front of the variable means (fig 1, element 16), input device to allow a bet command (2:49-54), controller that controls the display devices to provide a game (inherent as something must control the machine in order for it to operate), where the second display moves relative to the first (figs 3 and 5).

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Takeuchi lacks explicitly stating that the second display is electrically able to display various images.

32. In related prior art, Yamamoto discloses a transparent liquid crystal display that allows the superimposing of images over background images (1:24-57) with a light source disposed on the bottom (fig 1, element 102).

33. One skilled in the art would recognize the advantage of using the transparent display of Yamamoto with the system of Takeuchi as the resultant system would allow for the surprise and enhanced amusement of the player as already provided for in Takeuchi while further enhancing the abilities of the system to vary the overlaid image which allows for more image variety as evidenced by Loose et al. (US 6517433). The combination made lacks a light reflection cover connected to the edge members to reflect light to the variable display and electrical display regardless of position.

34. However, examiner takes OFFICIAL NOTICE that reflectors for lights are well known as a way to direct light and thereby reduce power demand by using less powerful lights that are directed properly. Examiner offers as evidence most commercial ceiling light assemblies, vehicle headlights, etc. One skilled in the art would recognize the advantages of focusing light where it is useful and not wasted on illumination of unnecessary objects.

35. Therefore it would have been obvious to one skilled in the art at the time of the invention to have modified the combination made above to have included a light reflector to direct the light onto the gaming displays in order to reduce energy demands and provide adequate illumination of the game displays.

36. The combination made does not explicitly disclose that the electrical display device generating a front display unit effect is positioned in front of the variable display device generating a variable display unit effect at a first distance so that a player can select to visualize either the front display unit effect or the variable display effect and, when the electrical display device is in the second front display unit position, the electrical display device generating the front display unit effect is positioned in front of the variable display device generating the variable display unit effect at a second distance being less than the first distance so that the player visualizes a combination of the front display unit effect and the variable display effect. Rather the combination made raises the reel overlay out of the field of view of the player. It would have been an obvious matter of design choice, well within the abilities of one skilled in the art, to have the reel overlay display move to a first position that is still visible to the player as it would have no bearing on the game play if the raised overlay were visible to the player or not since it is the combination of the variable display and the electrical display that provides the entertainment and excitement to the user. As such, the claim fails to distinguish over the prior art.

37. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al. (US 6086066) in view of Yamamoto et al. (US 6118420), Okada (US 4889339) and Official Notice as applied to claim 1 above, and further in view of Cairns (US 1454622 A).

38. Takeuchi discloses the system set forth for claim 1 above, where the front display unit has a front surface facing outwardly from the gaming machine and a rear surface

facing inward into the gaming machine, facing the variable display unit (fig 3). Takeuchi in view of Yamamoto et al. (US 6118420), Okada (US 4889339) and Official Notice does not explicitly disclose the reflection cover to be generally U-shaped.

39. In related prior art, Cairns discloses a light reflecting member to direct light from a light source that is generally U-shaped (fig 4). One skilled in the art would recognize the advantages of partially surrounding a light in order to capture as much illumination as possible and direct said illumination in the desired direction.

40. Therefore it would have been obvious to one skilled in the art at the time of the invention to have modified the combination of claim 1 above further in view of Cairns to have included used a U-shaped reflector in order to capture and direct as much illumination as possible thereby obviating the need for larger, more costly lighting systems and providing adequate illumination for the gaming displays.

41. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al. (US 6086066) in view of Yamamoto et al. (US 6118420) and Official Notice as applied to claim 10 above, and further in view of Cairns (US 1454622 A).

42. Takeuchi discloses the system set forth for claim 10 above, where the front display unit has a front surface facing outwardly from the gaming machine and a rear surface facing inward into the gaming machine, facing the variable display unit (fig 3). Takeuchi in view of Yamamoto et al. (US 6118420) and Official Notice does not explicitly disclose the reflection cover to be generally U-shaped.

43. In related prior art, Cairns discloses a light reflecting member to direct light from a light source that is generally U-shaped (fig 4). One skilled in the art would recognize

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the advantages of partially surrounding a light in order to capture as much illumination as possible and direct said illumination in the desired direction.

44. Therefore it would have been obvious to one skilled in the art at the time of the invention to have modified the combination of claim 1 above further in view of Cairns to have included used a U-shaped reflector in order to capture and direct as much illumination as possible thereby obviating the need for larger, more costly lighting systems and providing adequate illumination for the gaming displays.

Response to Arguments

45. Applicant's arguments filed 04/23/2008 have been fully considered but they are not persuasive.

46. Applicant argues that the references do not teach or disclose a frame having a continuous loop of edge members surrounding an opening that allows light to pass through. Examiner respectfully disagrees. Yamamoto discloses such a feature in element 103 of the figures 1-4. The stop plate is located at the bottom of the LCD and makes a loop of edge members that allow light to enter there through as described in detail in Yamamoto. Yamamoto further discloses a light source located near the edge members to illuminate the display in figures 1-3.

47. Applicant argues that there is no motivation to combine Takeuchi and Yamamoto. Examiner respectfully disagrees. The goal of Takeuchi is to change the outcome of a reel display by including a new symbol in the form of the reel overlay and thereby impress and entertain the user. One skilled in the art would be motivated to update the static display of Takeuchi with the variable display of Yamamoto because

such a modification would allow the overwriting of symbols as described in Takeuchi and would allow for even greater variety of overlay symbols than the static image of Takeuchi thus furthering the stated goals of entertaining and surprising the user of the game system.

48. Applicant's arguments, see pg 11, filed 04/23/2008, with respect to the rejections on the grounds of non-statutory obviousness-type double patenting have been fully considered and are persuasive. The rejection of claims 1-22 on the grounds of non-statutory obviousness-type double patenting has been withdrawn.

Conclusion

49. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID W. DUFFY whose telephone number is (571)272-1574. The examiner can normally be reached on M-F 0830-1700.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan M. Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. W. D./
Examiner, Art Unit 3714

/Corbett Coburn/
Primary Examiner
AU 3714